

MONDAY, MARCH 21, 2016

FIFTIETH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Father David Boettner, Vicar General / Moderator of Curia Roman Catholic Diocese of Knoxville, Knoxville, TN.

Representative Daniel led the House in the Pledge of Allegiance to the Flag.

RECOGNITION IN THE WELL

Representative Rogers was recognized in the Well to introduce Rick Allen King who sang the "National Anthem".

ROLL CALL

The roll call was taken with the following results:

Present..... 95

Representatives present were Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 95

EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Todd; illness

Representative Holsclaw

Representative Akbari

PRESENT IN CHAMBER

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Rep. DeBerry was recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 500 Reps. Holt, Lollar, Hulse, Zachary, Dunlap, Lynn, Sargent, Goins, T. Hill, McCormick, Halford, Durham, Williams, Faison, Coley, Howell and M. White as prime sponsors.

House Joint Resolution No. 686 Reps. Sargent, Williams and Gilmore as prime sponsors.

House Joint Resolution No. 690 Rep. Howell as prime sponsor.

House Joint Resolution No. 700 Reps. Clemmons and Lynn as prime sponsors.

House Joint Resolution No. 701 Reps. McCormick, Gravitt, Hazlewood, Carter, Turner, Hardaway, Love, Towns, Jones, Parkinson, Mitchell, Cooper, DeBerry, Jernigan, Camper, Shepard, Beck, Shaw, Miller, Stewart, Gilmore, Windle, Armstrong, Fitzhugh, Pitts, Clemmons, Powell and Dunlap as prime sponsors.

House Joint Resolution No. 707 Reps. Gilmore and Lynn as prime sponsors.

House Bill No. 1485 Reps. Gilmore, Dunlap, Favors, Miller, Turner, Hardaway, Sparks, Carr, Parkinson, C. Sexton, Camper and Kumar as prime sponsors.

House Bill No. 1699 Reps. Gilmore, Clemmons and Hawk as prime sponsors.

House Bill No. 1735 Rep. Williams as prime sponsor.

House Bill No. 1816 Rep. Armstrong as prime sponsor.

House Bill No. 1929 Reps. Sargent, Terry, Weaver, Moody, M. Hill, Byrd, Travis, Durham, Favors, Camper, McManus, H. Brooks, Lollar, T. Hill, Forgety, Williams, Powers, Sparks, Hardaway, Windle and Dunlap as prime sponsors.

House Bill No. 1931 Reps. Hardaway, Turner, Byrd and Camper as prime sponsors.

House Bill No. 1992 Reps. Dunn and Butt as prime sponsors.

House Bill No. 2176 Reps. Lamberth, Weaver, Farmer, Van Huss, Parkinson, Goins, Stewart and Butt as prime sponsors.

House Bill No. 2199 Reps. Favors, Zachary, Powers, DeBerry and Camper as prime sponsors.

House Bill No. 2250 Rep. J. Sexton as prime sponsor.

House Bill No. 2566 Rep. Windle as prime sponsor.

House Bill No. 2620 Rep. Sargent as prime sponsor.

**REPORT OF CHIEF ENGROSSING CLERK
March 18, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 636, 637, 638, 639, 640, 641, 642, 643, 644, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656 and 657; for his action.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS
March 18, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 2148; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 21, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 578 and 649; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 578 -- Memorials, Personal Occasion - Halie Gass Forstner, 105th birthday. by *Gardenhire.

Senate Joint Resolution No. 649 -- Memorials, Recognition - Loretta Lynn. by *Roberts.

**MESSAGE FROM THE SENATE
March 21, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1967, 2533, 2550 and 2577; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 1967 -- Education, Dept. of - As introduced, requires the department to evaluate physical education curriculum in the state and make a yearly report of the evaluation to the general assembly by July 1. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 6. by *Tracy, *Ketron. (*HB1793 by *Byrd)

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Senate Bill No. 2533 -- Firearms and Ammunition - As introduced, allows the Tennessee POST commission to deny a retired law enforcement officer's application to carry as a law enforcement officer if the retired officer is prohibited from purchasing or possessing a firearm, or obtaining a handgun carry permit, or if the retired officer has been convicted of DUI once within five years, or twice or more within 10 years, of the application date. - Amends TCA Title 38, Chapter 8, Part 1. by *Norris, *Bell. (*HB1532 by *McCormick, *Brooks K, *Hulsey)

Senate Bill No. 2550 -- Trusts - As introduced, revises what constitutes a private trust company under the Banking Act. - Amends TCA Title 45, Chapter 1 and Title 45, Chapter 2. by *Norris, *Stevens. (*HB1547 by *McCormick, *Brooks K)

Senate Bill No. 2577 -- Alcohol Offenses, Motor Vehicles - As introduced, requires arresting agency to send fingerprint cards for DUI and other vehicular impairment offense arrests to TBI within seven days of arrest for submission to NCIC and requires the clerks to send DUI convictions to TBI within five days of conviction. - Amends TCA Title 8 and Title 55. by *Norris, *Kelsey. (*HB2199 by *White M, *Hardaway, *Love, *Akbari, *Lamberth, *Lollar, *Kane, *Byrd, *Travis)

MESSAGE FROM THE SENATE
March 21, 2016

MADAM SPEAKER: I am directed to return to the House, House Bill No. 829; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
March 21, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 449, 482, 484, 486, 539, 540, 541, 542, 543, 544, 549, 560 and 564; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 449** -- Memorials, Recognition - "Child Abuse and Neglect Prevention Month," April 2016. by *Yarbro.

***Senate Joint Resolution No. 482** -- General Assembly, Confirmation of Appointment - Lauren Nash, state textbook and instructional materials quality commission. by *Stevens.

***Senate Joint Resolution No. 484** -- General Assembly, Confirmation of Appointment - Cathy Kolb, academic standards recommendation committee. by *Green.

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***Senate Joint Resolution No. 486** -- General Assembly, Confirmation of Appointment - Shannon Duncan, academic standards recommendation committee. by *Bowling.

***Senate Joint Resolution No. 539** -- General Assembly, Confirmation of Appointment - Jason Roach, education standards recommendation committee for social studies. by *Niceley.

***Senate Joint Resolution No. 540** -- General Assembly, Confirmation of Appointment - LaToya Pugh, education standards recommendation committee for science. by *Norris.

***Senate Joint Resolution No. 541** -- General Assembly, Confirmation of Appointment - David Barrett, education standards recommendation committee for social studies. by *Norris.

***Senate Joint Resolution No. 542** -- General Assembly, Confirmation of Appointment - Katherine Petko, education standards recommendation committee for social studies. by *Massey.

***Senate Joint Resolution No. 543** -- General Assembly, Confirmation of Appointment - Kattie Nash, education standards recommendation committee for science. by *Bailey.

***Senate Joint Resolution No. 544** -- General Assembly, Confirmation of Appointment - Sally Pardue, education standards recommendation committee for science. by *Bailey.

***Senate Joint Resolution No. 549** -- General Assembly, Confirmation of Appointment - Todd Wigginton, education standards recommendation committee for social studies. by *Dickerson.

***Senate Joint Resolution No. 560** -- General Assembly, Confirmation of Appointment - Billie Jeanette Cuervo, education standards recommendation committee for science. by *Watson, *Gardenhire.

Senate Joint Resolution No. 564 -- Memorials, Retirement - Bruce Behringer. by *Crowe.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Keisling was recognized in the Well to honor George Edward York, age 92; Andrew York, age 85; and Betsy Ross Lowery, age 83 the last surviving children of Alvin C. York, WWI hero.

RESOLUTION READ

The Clerk read House Joint Resolution No. 618, adopted March 3, 2016.

House Joint Resolution No. 618 -- Memorials, Recognition - George York, Andrew Jackson York, and Betsy Ross York Lowrey. by *Keisling, *Windle, *Pitts.

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RECOGNITION IN THE WELL

Representative Weaver was recognized in the Well to sing "God Bless America."

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the following resolutions listed were introduced and referred to the appropriate Committee:

***House Resolution No. 188** -- General Assembly, Confirmation of Appointment - Eddie Bass, TBI Nominating Commission. by *Harwell, *Johnson.

House Criminal Justice Committee

***House Resolution No. 189** -- General Assembly, Confirmation of Appointment - Judge Larry K. Scroggs, TBI Nominating Commission. by *Harwell, *Johnson.

House Criminal Justice Committee

***House Joint Resolution No. 543** -- Memorials, Congress - Urge Congress to enact legislation for the purpose of enhancing hunting, fishing, recreational shooting, and other outdoor recreational opportunities. by *Reedy, *McDaniel.

House Agriculture and Natural Resources Committee

***House Joint Resolution No. 556** -- General Assembly, Statement of Intent or Position - Urges the National Park Service to complete the Eastern Legacy Special Resource Study and recommend inclusion of Eastern Legacy sites in the Lewis and Clark National Historic Trail. by *McDaniel.

House State Government Committee

***House Joint Resolution No. 585** -- General Assembly, Statement of Intent or Position - Encourage employers to grant holiday time off on Veterans Day to their employees who are military veterans if they would otherwise be required to work on that day. by *Windle.

House State Government Committee

***House Joint Resolution No. 688** -- Memorials, Recognition - Multiple chemical sensitivity. by *Gilmore.

House Health Committee

***House Joint Resolution No. 691** -- General Assembly, Confirmation of Appointment - Marsha Buck, Standards Recommendation Committee for Science. by *Brooks H.

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House Education Instruction & Programs Committee

***House Joint Resolution No. 692** -- General Assembly, Confirmation of Appointment - Mark Weeks, Standards Recommendation Committee for Science. by *Brooks H.

House Education Instruction & Programs Committee

***House Joint Resolution No. 712** -- General Assembly, Confirmation of Appointment - Doris Annette Hurd, standards recommendation committee for science. by *Harwell, *Johnson.

House Education Instruction & Programs Committee

***House Joint Resolution No. 713** -- General Assembly, Confirmation of Appointment - Lorrie Graves, Standards Recommendation Committee for Science. by *Harwell, *Johnson.

House Education Instruction & Programs Committee

***House Joint Resolution No. 714** -- General Assembly, Confirmation of Appointment - Dr. Kent Gallaher, standards recommendation committee for science. by *Harwell, *Johnson.

House Education Instruction & Programs Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for March 24, 2016:

House Resolution No. 187 -- Memorials, Death - Georgia Massengill Warren. by *Lundberg.

House Resolution No. 190 -- Memorials, Death - Juanita Ruetz. by *Hill M, *VanHuss, *Hill T.

House Joint Resolution No. 708 -- Memorials, Academic Achievement - Hannah Grace Frost, Salutatorian, Sale Creek High School. by *Carter.

House Joint Resolution No. 709 -- Memorials, Academic Achievement - Quinton Jace Terry, Valedictorian, Sale Creek High School. by *Carter.

House Joint Resolution No. 710 -- Memorials, Sports - South Greene High School Lady Rebels, TSSAA Class A state champions. by *Faison, *Hawk.

House Joint Resolution No. 711 -- Memorials, Recognition - Jack Daniel Distillery, 150th anniversary. by *Alexander.

House Joint Resolution No. 715 -- Memorials, Heroism - Captain Robert Canterbury. by *Terry.

House Joint Resolution No. 716 -- Memorials, Recognition - Remembering WWII and the Courter family. by *McDaniel.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution listed was noted as being placed on the Consent Calendar for March 24, 2016:

Senate Joint Resolution No. 564 -- Memorials, Retirement - Bruce Behringer. by *Crowe.

RESOLUTIONS LYING OVER

On motion, the resolutions listed were referred to the appropriate Committee:

***Senate Joint Resolution No. 88** -- TennCare - Requests the governor to apply for an appropriate federal waiver in order to implement the TennCare Opt Out program as a small pilot project within the TennCare program. by *Green, *Bailey, *Haile, *Stevens.

House Insurance and Banking Committee

***Senate Joint Resolution No. 102** -- Pharmacy, Pharmacists - Requests the board of pharmacy to conduct an electronic survey of pharmacists relative to working conditions and the licensure renewal process. by *McNally.

House Health Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

***House Bill No. 2639** -- Regional Authorities and Special Districts - As introduced, renames the Four Lake regional industrial development authority to the Tennessee central economic authority. - Amends TCA Section 4-29-239; Title 64, Chapter 5, Part 2 and Title 67, Chapter 9, Part 1. by *Weaver.

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House Bill No. 2654 -- Trimble - Subject to local approval, changes the election process for the mayor and aldermen elections; extends the terms of the mayor and aldermen from two years to four years. - Amends Chapter 88 of the Private Acts of 1993; as amended. by *Sanderson.

House Bill No. 2655 -- Clay County - As introduced, subject to local approval, decreases the Clay County board of education from 10 members to five members. - Amends Chapter 330 of the Private Acts of 1947; as amended. by *Keisling.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2649 -- Van Buren County -- House Local Government Committee

House Bill No. 2650 -- Linden -- House Local Government Committee

House Bill No. 2651 -- Lebanon -- House Local Government Committee

House Bill No. 2652 -- Rocky Top -- House Local Government Committee

House Bill No. 2653 -- Gallatin -- House Local Government Committee

CONSENT CALENDAR

House Bill No. 2640 -- Cannon County - As introduced, transfers the filing of petitions and claims concerning mental health commitments from the general sessions court clerk to the clerk and master but retains the authority of the general sessions judge to hear and determine these cases. - Amends Chapter 318 of the Private Acts of 1943; as amended. by *Pody.

House Bill No. 2335 -- State Government - As introduced, eliminates requirement that a party remove a case to state court within 90 days after the complaint is filed if the Tennessee human rights commission determines there is reasonable cause to believe discrimination took place. - Amends TCA Title 4, Chapter 21. by *Shaw, *Favors, *Armstrong, *Stewart, *Camper, *Miller, *Pitts, *Jones.

House Bill No. 1759 -- Special License Plates - As introduced, expands eligibility for the issuance of an amateur radio license plate without the \$25.00 additional fee to registrants who provide emergency services as part of a squad and whose qualifications are approved by the county emergency management director. - Amends TCA Title 55, Chapter 4, Part 2. by *Weaver.

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On motion, House Bill No. 1759 was made to conform with **Senate Bill No. 1635**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2641** -- Jellico - As introduced, subject to local approval, changes the appointment qualifications for city judge; requires the city judge to be appointed by the mayor and confirmed by majority vote of the board of mayor and aldermen; removes state residency requirement for appointed city judge. - Amends Chapter 91 of the Private Acts of 2008. by *Powers.

***House Bill No. 2634** -- Ardmore - As introduced, subject to local approval, allows board of mayor and aldermen to appoint a chief of police to serve at the pleasure of the board instead of serving for a term of years; removes requirement that salaries of police officers and firefighters be fixed by ordinance; subjects chief of police to suspension by the mayor for disciplinary purposes. - Amends Chapter 801 of the Private Acts of 1949; as amended by Chapter 278 of the Private Acts of 1967; Chapter 228 of the Private Acts of 1978. by *Doss.

***House Bill No. 2635** -- Giles County - As introduced, subject to local approval, authorizes the county commission to set the compensation for the county attorney; reduces the term of office of the county attorney from four years to one year; authorizes the county mayor to retain counsel for extraordinary legal matters. - Amends Chapter 255 of the Private Acts of 1931. by *Doss.

House Bill No. 1699 -- Education, Higher - As introduced, provides tuition and fee waivers to full-time state employees for up to four courses per academic year provided the courses do not coincide. - Amends TCA Section 8-50-114. by *Pitts.

On motion, House Bill No. 1699 was made to conform with **Senate Bill No. 1625**; the Senate Bill was substituted for the House Bill.

House Bill No. 2620 -- School Districts, Special - As introduced, pursuant to the request of the Franklin special school district of Williamson County, permits the district to issue bonds or notes in an amount not to exceed \$12 million and to issue bond anticipation notes in an amount not to exceed \$12 million. - Amends Chapter 563 of the Private Acts of 1949, as amended. by *Casada.

***House Bill No. 1519** -- Judges and Chancellors - As introduced, adds a former or current judicial commissioner to the board of judicial conduct to be appointed by the governor from nominees supplied by the judicial commissioners association of Tennessee. - Amends TCA Title 17, Chapter 5. by *Lundberg.

House Resolution No. 185 -- Memorials, Sports - Martin Westview High School boys' basketball team. by *Holt.

House Resolution No. 186 -- Memorials, Recognition - Coach Jim Braden. by *Zachary.

House Joint Resolution No. 679 -- Memorials, Retirement - Major Van G. Chase. by *Pitts, *Reedy, *Johnson.

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House Joint Resolution No. 680 -- Memorials, Recognition - Private Officer International Memorial Week. by *Lynn.

House Joint Resolution No. 681 -- Memorials, Personal Achievement - Colton Wyatt Phillips, Cub Scout Supernova Award. by *Todd.

House Joint Resolution No. 682 -- Memorials, Academic Achievement - Joseph Tyler Pendleton, Salutatorian, Rhea County High School. by *Travis.

House Joint Resolution No. 683 -- Memorials, Academic Achievement - Kristin Griffin, Valedictorian, Rhea County High School. by *Travis.

House Joint Resolution No. 684 -- Memorials, Recognition - World's Biggest Fish Fry 2016 Hostess Princess Royalty. by *Wirgau.

House Joint Resolution No. 685 -- Memorials, Recognition - Brianna Mason, Miss Knoxville 2016. by *Armstrong.

House Joint Resolution No. 686 -- Memorials, Recognition - Masami Kinefuchi, Consul-General of Japan. by *Harwell, *Johnson, *McDaniel, *McCormick, *Fitzhugh.

House Joint Resolution No. 687 -- Memorials, Recognition - Waverly Mullins, Best of Show in Congressional Medal of Honor art show. by *Ragan.

House Joint Resolution No. 689 -- Memorials, Sports - Riverdale High School girls' basketball AAA State Champions. by *Terry.

House Joint Resolution No. 690 -- Memorials, Public Service - Herbert Lackey. by *Brooks K, *Pitts.

House Joint Resolution No. 693 -- Memorials, Retirement - James Cradic, Jr. by *Hicks.

House Joint Resolution No. 694 -- Memorials, Professional Achievement - Maekayla Crawford, President's Volunteer Service Award/Prudential Spirit of Community Award. by *Hicks.

House Joint Resolution No. 695 -- Memorials, Professional Achievement - Kaitlyn Price, President's Volunteer Service Award. by *Hicks.

House Joint Resolution No. 696 -- Memorials, Sports - Ravenwood High School, TSSAA Division I Class 6A state football champions. by *Casada, *Sargent, *Durham.

House Joint Resolution No. 697 -- Memorials, Recognition - Aureonya Glenn, Miss Black Clarksville 2016. by *Pitts, *Johnson, *Reedy.

House Joint Resolution No. 698 -- Memorials, Sports - E.O. Coffman Middle School boys basketball team. by *Doss.

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House Joint Resolution No. 699 -- Memorials, Sports - E.O. Coffman Middle School girls basketball team. by *Doss.

House Joint Resolution No. 700 -- Memorials, Professional Achievement - Dan Smith, Director Emeritus of Middle Tennessee Electric Board of Directors. by *Pody.

House Joint Resolution No. 701 -- Memorials, Recognition - Ed Johnson. by *Favors.

House Joint Resolution No. 702 -- Memorials, Recognition - Alayna Keeling, 2016 Mule Day Court Fourth Runner Up. by *Butt.

House Joint Resolution No. 703 -- Memorials, Recognition - Tori Renee Brown, 2016 Mule Day Queen. by *Butt.

House Joint Resolution No. 704 -- Memorials, Recognition - Kendyl Ansley Colvett, 2016 Mule Day Court First Runner Up. by *Butt.

House Joint Resolution No. 705 -- Memorials, Recognition - Dacey Jo Thompson, 2016 Mule Day Court Second Runner Up. by *Butt.

House Joint Resolution No. 706 -- Memorials, Recognition - Hannah Ginn, 2016 Mule Day Court Third Runner Up. by *Butt.

House Joint Resolution No. 707 -- Memorials, Professional Achievement - Dr. Charles William McKee, UTK College of Education, Health and Human Sciences Educators Hall of Honor. by *Pody.

***Senate Joint Resolution No. 533** -- Memorials, Recognition - Smart911 Awareness Day. by *Ketron, *Overbey.

Senate Joint Resolution No. 557 -- Memorials, Retirement - Jeffrey S. Henry, District Public Defenders Conference. by *Ketron, *Tracy, *Beavers, *Harris, *Kyle, *Norris, *Overbey.

Senate Joint Resolution No. 558 -- Memorials, Death - John Jay Hooker. by *Tate, *Beavers, *Harper, *Kyle, *Norris, *Yarbro.

Senate Joint Resolution No. 559 -- Memorials, Death - Sonny James. by *Roberts, *Bailey, *Beavers, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *McNally, *Niceley, *Norris, *Overbey, *Southerland, *Stevens, *Tate, *Tracy, *Watson, *Yager, *Yarbro, *Ramsey.

Senate Joint Resolution No. 563 -- Memorials, Recognition - Bradley Academy Museum and Cultural Center. by *Tracy, *Ketron.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final

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consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 93
Noes 0

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Consent Calendar** and have this statement entered in the Journal: Rep. McManus.

REGULAR CALENDAR

***House Bill No. 1532** -- Firearms and Ammunition - As introduced, allows the Tennessee POST commission to deny a retired law enforcement officer's application to carry as a law enforcement officer if the retired officer is prohibited from purchasing or possessing a firearm, or obtaining a handgun carry permit, or if the retired officer has been convicted of DUI once within five years, or twice or more within 10 years, of the application date. - Amends TCA Title 38, Chapter 8, Part 1. by *McCormick, *Brooks K, *Hulsey. (SB2533 by *Norris, *Bell)

Rep. Hulsey moved that **House Bill No. 1532** be reset for the Regular Calendar on April 4, 2016, which motion prevailed.

***House Bill No. 1717** -- Professions and Occupations - As introduced, requires unarmed security guard applicants to initially complete eight hours, instead of four hours, of general training and further requires unarmed security guards who have been registered for less than 10 continuous years to complete two hours of continuing education training prior to receiving renewal of the person's registration card. - Amends TCA Title 62. by *Pody, *Lynn. (SB2266 by *Beavers)

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Rep. Pody moved that House Bill No. 1717 be passed on third and final consideration.

Rep. Marsh moved adoption of Business and Utilities Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1717 by deleting the language "and renewal" in Section 3.

AND FURTHER AMEND by deleting Section 2.

On motion, Business and Utilities Committee Amendment No. 1 was adopted.

Rep. Pody moved that **House Bill No. 1717**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	76
Noes.....	14
Present and not voting.....	2

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Cooper, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Moody, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Terry, Travis, Turner, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 76

Representatives voting no were: Beck, Clemmons, Coley, Daniel, Goins, Hardaway, Jones, Miller, Mitchell, Powell, Stewart, Swann, Towns, Van Huss -- 14

Representatives present and not voting were: Armstrong, Camper -- 2

A motion to reconsider was tabled.

House Bill No. 2342 -- Wildlife Resources Commission - As introduced, specifies that 10 years' experience as a wildlife officer may be substituted for the requirement of a bachelor's degree for a person to qualify for the position of wildlife officer with the wildlife resources agency. - Amends TCA Title 8 and Title 70. by *Calfee, *Windle. (*SB1463 by *Bailey)

Rep. Calfee moved that **House Bill No. 2342** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
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Noes..... 1

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 93

Representatives voting no were: Powers -- 1

A motion to reconsider was tabled.

***House Joint Resolution No. 500** -- General Assembly, Statement of Intent or Position - Condemns global Christian persecution. by *Weaver, *Sexton J, *Ragan, *Hill M, *VanHuss, *Doss, *Keisling, *Kumar, *Pody, *Matheny, *Windle, *Love, *Womick, *Rogers, *Terry, *Gravitt, *Alexander, *Lundberg, *Lamberth, *Forgety, *Sparks, *Hawk, *Kane, *Smith, *Casada, *Daniel, *DeBerry, *Brooks K, *Butt, *Byrd, *Powers, *Moody, *Matlock, *Eldridge, *Holt.

Rep. Weaver moved adoption of House Joint Resolution No. 500.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 500 by deleting the seventh WHEREAS clause in its entirety.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Weaver moved adoption of **House Joint Resolution No. 500**, as amended, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell,

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Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Joint Resolution No. 500** and have this statement entered in the Journal: Rep. Camper.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1563** -- Nuclear Materials, Transportation and Safety - As introduced, clarifies that deadly force may be used by nuclear security officers at nuclear power reactor facilities and not just category I nuclear facilities. - Amends TCA Section 39-11-611. by *Travis. (SB1627 by *Yager)

On motion, House Bill No. 1563 was made to conform with **Senate Bill No. 1627**; the Senate Bill was substituted for the House Bill.

Rep. Travis moved that **Senate Bill No. 1627** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Bill No. 2566** -- Parks, Natural Areas Preservation - As introduced, designates a portion of Soak Creek beginning in Bledsoe County and ending in Rhea County as a Class III scenic river. - Amends TCA Title 11, Chapter 13. by *Travis, *Sargent, *Marsh, *Swann, *Lamberth, *Hill M, *Van Huss, *Reedy. (SB2520 by *Yager, *Southerland, *Watson, *Green, *Bailey)

On motion, House Bill No. 2566 was made to conform with **Senate Bill No. 2520**; the Senate Bill was substituted for the House Bill.

Rep. Travis moved that Senate Bill No. 2520 be passed on third and final consideration.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Travis moved that **Senate Bill No. 2520** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Bill No. 1992** -- Public Contracts - As introduced, requires vendors who contract with the state to notify the chief procurement officer if the vendor is being investigated by a state agency or law enforcement regarding the vendor's business activity. - Amends TCA Title 4, Chapter 56 and Title 12. by *Sanderson. (SB1940 by *Yager)

Rep. Sanderson moved that House Bill No. 1992 be passed on third and final consideration.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

3065

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Amendment No. 1

AMEND House Bill No. 1992 by deleting all language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 56, is amended by adding the following language as a new section:

(a) As used in this section, "vendor" means a legal entity that:

(1) Is currently under contract with a department or agency of this state;

(2) Bids on a contract with a department or agency of this state;
or

(3) Attempts to amend a current contract with a department or agency of this state.

(b) If a vendor is indicted for or convicted of, or pleads guilty or nolo contendere to, any violation under the Sherman Antitrust Act (15 U.S.C. §§ 1-7); mail fraud under 18 U.S.C. § 1341; any federal or state criminal statute in connection with any contract let or funded, in whole or in part, by this state or any other state or territory of the United States; or any federal or state crime as the result of any investigation into such violations or crimes, the vendor shall provide notice of such indictment, conviction, or plea to the chief procurement officer by submitting a copy of the indictment, final judgment of conviction, or plea agreement to the chief procurement officer not later than thirty (30) days after being indicted, convicted, or pleading guilty or nolo contendere.

(c) Upon receiving notice under subsection (b), the chief procurement officer shall forward a copy of the indictment, final judgment of conviction, or plea agreement to the executive director of fiscal review and the comptroller of the treasury.

(d) If a vendor knowingly fails to provide notice under subsection (b), the chief procurement officer may fine the vendor ten thousand dollars (\$10,000); provided, that, if the vendor is under contract and the total price of the contract is greater than two hundred thousand dollars (\$200,000), the chief procurement officer may fine the vendor in an amount not to exceed five percent (5%) of the total price of the contract.

(e) A department or agency of this state may terminate any contract with a vendor who is found to be in violation of this section.

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SECTION 2. This act shall take effect July 1, 2016, the public welfare requiring it; provided, that subsection (e) of Section 1 of this act shall apply only to contracts entered into on or after July 1, 2016.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Sanderson moved that **House Bill No. 1992**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 1929 -- Military - As introduced, extends immunity from civil liability to national guard members who are authorized by the military department to carry a personally owned handgun while in uniform and who use that handgun in self-defense or defense of others. - Amends TCA Title 58, Chapter 1. by *Zachary, *Ragan, *Rogers, *Goins, *Reedy, *McCormick, *Butt, *Daniel, *Van Huss, *Johnson, *Casada, *Marsh, *Lundberg, *Smith, *Carter, *Kane, *White M, *Gravitt, *Brooks K. (*SB1760 by *Briggs, *Yager, *Roberts, *Bailey, *Bowling, *Crowe, *Gardenhire, *Green, *Gresham, *Kelsey, *Niceley, *Norris, *Overbey, *Tracy, *Watson)

On motion, House Bill No. 1929 was made to conform with **Senate Bill No. 1760**; the Senate Bill was substituted for the House Bill.

Rep. Zachary moved that Senate Bill No. 1760 be passed on third and final consideration.

Rep. Lundberg moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1760 by deleting all language after the enacting clause and substituting instead the following:

3067

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

SECTION 1. Tennessee Code Annotated, Section 58-1-227, is amended by adding the following as a new subsection (c):

(1) Notwithstanding § 39-11-605 or § 39-11-622(a)(1)(B), if a member of the national guard uses force against another, including by discharging a personally owned firearm, and a civil cause of action is commenced against the national guard member alleging that the use of force resulted in the death or injury of, or property damage to, the person commencing the action, the national guard member shall have civil immunity with respect to any person commencing an action that is based on the national guard member's use of force, if the court in which the action is filed determines the national guard member:

(A) Used force against the person bringing the action that was justifiable self-defense, in accordance with § 39-11-611, or justifiable defense of others, in accordance with § 39-11-612;

(B) Was on duty or in uniform at the time force was used; and

(C) If the use of force involved the discharge of a personally owned handgun, was authorized to possess or carry a handgun pursuant to § 39-17-1351 and authorized by the military department to carry a personally owned handgun while on-duty or in uniform.

(2)

(A) As soon as possible after the national guard member's use of force, the attorney general and reporter shall investigate and determine whether the national guard member's use of force complied with the requirements of subdivisions (c)(1)(A)-(C). If the attorney general determines that the use of force was justifiable, the national guard member shall receive legal counsel designated as provided by title 8, chapter 42, to represent the national guard member if any action is commenced by any person against the national guard member that is based upon the national guard member's justified use of force.

(B) If the attorney general and reporter determines the national guard member's use of force was not justified and declines to provide legal counsel, the provision of § 39-11-622(b) shall be applicable and available to the national guard member.

(3) If any civil or administrative action is brought against the national guard member that is based on the national guard member's use of force, the trier of fact shall first determine if the use of force complied with the requirements of subdivisions (c)(1)(A)-(C). If the trier of fact finds the national guard member's use of force did comply, the action against the national guard member shall be dismissed.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Zachary moved that **Senate Bill No. 1760**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

***House Bill No. 1860** -- Taxes - As introduced, adds, in regard to the authorization for duly authorized local governmental officials to review tax returns and information to ascertain whether taxes are being paid, that such officials may also access such information to determine whether allocations from state levied taxes are being distributed to the correct unit of local government. - Amends TCA Title 67, Chapter 1, Part 17. by *Carr . (SB1946 by *Yager)

On motion, House Bill No. 1860 was made to conform with **Senate Bill No. 1946**; the Senate Bill was substituted for the House Bill.

Rep. Carr moved that Senate Bill No. 1946 be passed on third and final consideration.

Rep. Wirgau moved that Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Carr moved that **Senate Bill No. 1946** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Sparks, Spivey, Stewart, Swann, Terry, Towns, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

***House Bill No. 1692** -- Taxes, Ad Valorem - As introduced, grants industrial development corporations authority to waive payments in lieu of taxes made by lessees if creating municipality formally delegates such authority to corporation; requires best interests determination by comptroller and commissioner of economic and community development of any contract resulting in lessee making payments less than amount of taxes otherwise due for a period greater than 20 years plus a three-year construction period. - Amends TCA Title 7; Title 9 and Title 13. by *Carr . (SB1728 by *Crowe)

On motion, House Bill No. 1692 was made to conform with **Senate Bill No. 1728**; the Senate Bill was substituted for the House Bill.

Rep. Carr moved that Senate Bill No. 1728 be passed on third and final consideration.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1728 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 7-53-305, is amended by deleting subdivision (e)(1)(F) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 7-53-305, is further amended by deleting the language "to the governing body" from subdivision (e)(1)(H).

SECTION 3. Tennessee Code Annotated, Section 7-53-305, is further amended by deleting the language "allocated according to the economic development agreement" from subdivision (e)(1)(K) and substituting instead "allocated between the city and county according to the economic development agreement".

SECTION 4. Tennessee Code Annotated, Section 7-53-305, is further amended by deleting subsection (b) in its entirety and substituting instead the following:

(b)

(1)

(A) The corporation has the authority to negotiate, accept, or waive from any of the corporation's lessees payments in lieu of taxes only upon receipt of a formal delegation of such authority from the municipality or municipalities that formed the corporation. Any such authorization shall be granted only upon a finding by the municipality or municipalities that the payments or waiver of the payments are deemed to be in furtherance of the corporation's public purposes. The legislative body of the municipality or municipalities making the delegation may require the corporation to submit for approval any agreement with any of the corporation's lessees providing for the acceptance or waiver of payments in lieu of taxes.

(B) No agreement providing for the acceptance or waiver of payments in lieu of taxes, including any renewal or extension of such agreement, entered into by a municipality or corporation to which such authority has been delegated shall result in a corporation's lessee making payments in lieu of taxes in an amount less than the applicable ad valorem taxes for a period that is greater than twenty (20) years plus a reasonable construction or installation period not to exceed three (3) years, unless both the commissioner of economic and community development and the comptroller of the treasury have made a written determination that the agreement is in the best interest of the state.

(C) The corporation shall attach to each agreement an analysis of the costs and benefits of the agreement, in such manner and under such conditions as shall be prescribed by the commissioner of economic and community development or the commissioner's designee.

(2) With regard to any project located within an area designated as the center-city area by a municipality in which there has been created a central business improvement district pursuant to the Central Business Improvement District Act of 1971, compiled in chapter 84 of this title, the amount of such payments shall not be fixed below the lesser of:

(A) Ad valorem taxes otherwise due and payable by a tax-paying entity upon the current fair market value of the leased properties; or

(B) Ad valorem taxes that were or would have been due and payable on the leased properties for the period immediately preceding the date of their acquisition by the corporation.

(3) The minimum payments in subdivisions (b)(2)(A) and (B) shall not be applicable to an eligible headquarters facility.

SECTION 5. Tennessee Code Annotated, Section 7-53-101, is amended by adding the following language as new, appropriately designated subdivisions:

() "Applicable ad valorem taxes" means any ad valorem taxes that, but for ownership of a project by a corporation, would have been due and payable pursuant to §§ 67-5-102 and 67-5-103;

() "Payments in lieu of taxes" means any amount negotiated separately from rent in lieu of applicable ad valorem taxes;

() "Rent" means a charge for use of property, including the lessee's obligation to repay debt issued or assumed by a lessor, or rent implied by the lessee's stated obligation to construct improvements;

() "Waiver" means an agreement that does not require the payment of any payments in lieu of taxes for a period of time;

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1 was adopted.

Rep. Carr moved that **Senate Bill No. 1728**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunn, Durham, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Shaw, Shepard, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 90

A motion to reconsider was tabled.

***House Bill No. 1996** -- Alcoholic Beverages - As introduced, authorizes the City of Gatlinburg to adopt an ordinance imposing a minimum distance, not to exceed 1,000 feet, between distilleries manufacturing distilled spirits. - Amends TCA Section 57-2-103 and Section 57-3-202. by *Carr . (SB2089 by *Overbey, *Ketron)

On motion, House Bill No. 1996 was made to conform with **Senate Bill No. 2089**; the Senate Bill was substituted for the House Bill.

Rep. Carr moved that Senate Bill No. 2089 be passed on third and final consideration.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2089 by deleting SECTION 1 and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-2-103(d), is amended by adding the following language as a new, appropriately designated subdivision:

A municipality as described in § 57-4-102(26)(B) may adopt an ordinance imposing a minimum distance, not to exceed one thousand feet (1,000'), between distilleries manufacturing distilled spirits; provided, that the ordinance shall not apply to or affect any licensed distillery in operation and open to the public prior to the effective date of this act. A distillery that is exempt from an ordinance adopted under this subdivision shall remain exempt from any ordinance adopted under this subdivision upon the transfer of any ownership interest in the distillery to a successor in interest.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Parkinson moved the previous question, which motion prevailed.

Rep. Carr moved that **Senate Bill No. 2089**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	69
Noes.....	11
Present and not voting.....	12

Representatives voting aye were: Armstrong, Beck, Brooks H., Calfee, Carr, Casada, Clemmons, Coley, Doss, Dunn, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Matheny, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Ragan, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Stewart, Swann, Travis,

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Representatives voting no were: Daniel, Dunlap, Goins, Holt, Lynn, Matlock, McCormick, Spivey, Terry, Towns, Van Huss -- 11

Representatives present and not voting were: Alexander, Butt, Byrd, Camper, Carter, Cooper, DeBerry, Durham, Faison, Pody, Powers, Sparks -- 12

A motion to reconsider was tabled.

***House Bill No. 1816** -- Insurance, Health, Accident - As introduced, extends 120-day period certain pregnant insureds may continue to receive covered benefits after termination of an agreement between a healthcare provider and a managed health insurance issuer to additional classes of insureds. - Amends TCA Title 56, Chapter 7. by *Kumar. (SB1787 by *Jackson)

Rep. Kumar moved that House Bill No. 1816 be passed on third and final consideration.

Rep. McManus moved adoption of Insurance and Banking Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1816 by deleting Section 1 and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 56-7-2358(b), is amended by deleting the subsection in its entirety and substituting instead the following:

(b) The managed health insurance issuer and the treating provider or facility shall continue to be bound by the terms, conditions, and reimbursement rates of the provider's or facility's terminated agreement with the issuer for the time periods required under subsection (a).

On motion, Insurance and Banking Committee Amendment No. 1 was adopted.

Rep. Kumar moved that **House Bill No. 1816**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry,

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Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

***House Bill No. 1793** -- Education, Dept. of - As introduced, requires the department to evaluate physical education curriculum in the state and make a yearly report of the evaluation to the general assembly by July 1. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 6. by *Byrd. (SB1967 by *Tracy, *Ketron)

On motion, House Bill No. 1793 was made to conform with **Senate Bill No. 1967**; the Senate Bill was substituted for the House Bill.

Rep. Byrd moved that Senate Bill No. 1967 be passed on third and final consideration.

Rep. Forgety moved that Education Instruction & Programs Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Byrd moved that **Senate Bill No. 1967** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Bill No. 1931** -- Teachers, Principals and School Personnel - As introduced, requires a principal making a report of a bullying incident to ensure the victim's name is not included in the report. - Amends TCA Title 49. by *White M. (SB1900 by *Dickerson)

Rep. M. White moved that House Bill No. 1931 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1931 by deleting all language after the caption and substituting instead the following:

WHEREAS, schools across the nation have undergone a technological revolution, and are bringing a range of beneficial online services and technologies into the classroom that operate in "the cloud"; and

WHEREAS, this proliferation of online services and technologies has led to the collection of large amounts of data by the technology companies that provide such services; and

WHEREAS, nationwide, stakeholders have voiced concerns about the sufficiency of safeguards in place to prevent technology companies from using data about K-12 students for commercial purposes that have no relationship to education; and

WHEREAS, parents are overwhelmingly opposed to companies using student data for commercial purposes unrelated to education and are joined by advocacy groups and academics in calls for new regulations to protect student privacy and increased enforcement against vendors; and

WHEREAS, federal laws governing the protection of student data have failed to address the upsurge of cloud computing technology with significant gaps within both the Family Educational Rights and Privacy Act (FERPA) and the Children's Online Privacy Protection Act (COPPA) that can enable cloud computing providers to misuse student data for commercial purposes unrelated to education, such as advertising; and

WHEREAS, to safeguard student privacy, many states are enacting legislation to ensure that technology companies who are invited into schools will use data about students for authorized educational purposes, and not for targeted advertising or creating student profiles for non-educational purposes; and

WHEREAS, the State of Tennessee addressed student privacy by enacting the Data Accessibility, Transparency and Accountability Act in 2014 that dealt with the collection of student data by school systems and the use of student data by school systems and their vendors, but did not fully address operators of

online services and educational technologies using student information for commercial purposes; and

WHEREAS, now the State of Tennessee must further address student privacy concerns relating to online services and must strengthen trust in educational technologies by eliminating commercial practices that do not belong in the classroom, yet allow use of student data to provide personalized learning and develop new educational technologies that can improve education and help students learn; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Student Online Personal Protection Act".

SECTION 2. Tennessee Code Annotated, Section 49-1-702, is amended by adding the following language as new, appropriately designated subdivisions:

() "Covered information" means personally identifiable information or material, or information that is linked to personally identifiable information or material, in any media or format that is not publicly available and is:

(A) Created by or provided to an operator by a student, or the student's parent or legal guardian, in the course of the student's, parent's, or legal guardian's use of the operator's site, service, or application for K-12 school purposes;

(B) Created by or provided to an operator by an employee or agent of a K-12 school or an LEA for K-12 school purposes; or

(C) Gathered by an operator through the operation of its site, service, or application for K-12 school purposes and personally identifies a student;

() "Interactive computer service" means any information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including specifically a service or system that provides access to the Internet and such systems operated or services offered by libraries or educational institutions;

() "K-12 school" means a school that offers any of the grades kindergarten through twelve (K-12) and is operated by an LEA;

() "K-12 school purposes" means purposes that are directed by or that customarily take place at the direction of a K-12 school, teacher, or

LEA or that aid in the administration of school activities, including, but not limited to, instruction in the classroom or at home, administrative activities, and collaboration among students, school personnel, or parents, or are otherwise for the use and benefit of the school;

() "Operator" means, to the extent that it is operating in this capacity, the operator of an Internet web site, online service, online application, or mobile application with actual knowledge that the site, service, or application is used primarily for K-12 school purposes and is designed and marketed for K-12 school purposes;

() "Persistent unique identifier" means a unique reference number used as an identifier in computer software that is stored across different usage sessions;

() "Targeted advertising" means presenting advertisements to a student where advertisements are selected based on information obtained or inferred over time from that student's online behavior, usage of applications, or covered information. "Targeted advertising" does not include advertising to a student at an online location based upon that student's current visit to that location, or in response to that student's request for information or feedback, without the retention of that student's online activities or requests over time for the purpose of targeting subsequent advertisements;

SECTION 3. Tennessee Code Annotated, Title 49, Chapter 1, Part 7, is amended by adding the following language as a new, appropriately designated section:

(a) An operator shall not knowingly:

(1) Engage in targeted advertising on the operator's site, service, or application, or target advertising on any other site, service, or application if the targeting of the advertising is based on any information, including covered information and persistent unique identifiers, that the operator has acquired because of the use of that operator's site, service, or application for K-12 school purposes;

(2) Use information, including persistent unique identifiers, created or gathered by the operator's site, service, or application, to amass a profile about a student except in furtherance of K-12 school purposes. As used in this subdivision (a)(2) and subdivision (d)(2), "amass a profile" does not include the collection and retention of account information that remains under the control of the student, the student's parent or guardian, or the K-12 school;

(3) Sell or rent a student's information, including covered information. This subdivision (a)(3) does not apply to the purchase,

merger, or other type of acquisition of an operator by another entity, if the operator or successor entity complies with this section regarding previously acquired student information; or

(4) Except as otherwise provided in subsection (d), disclose covered information unless the disclosure is made:

(A) In furtherance of the K-12 school purpose of the site, service, or application, if the recipient of the covered information disclosed under this subdivision (a)(4)(A) does not further disclose the information unless done to allow or improve operability and functionality of the operator's site, service, or application;

(B) To ensure legal and regulatory compliance or protect against liability;

(C) To respond to or participate in the judicial process;

(D) To protect the safety or integrity of users of the site or others or the security of the site, service, or application;

(E) For a school, educational, or employment purpose requested by the student or the student's parent or guardian; provided, that the information is not used or further disclosed for any other purpose; or

(F) To a third party, if the operator contractually prohibits the third party from using any covered information for any purpose other than providing the contracted service to or on behalf of the operator, prohibits the third party from disclosing any covered information provided by the operator with subsequent third parties, and requires the third party to implement and maintain reasonable security procedures and practices.

(b) Nothing in subsection (a) shall prohibit the operator's use of information for maintaining, developing, supporting, improving, or diagnosing the operator's site, service, or application.

(c) An operator shall:

(1) Implement and maintain reasonable security procedures and practices appropriate to the nature of the covered information, designed to protect that covered information from unauthorized access, destruction, use, modification, or disclosure; and

(2) Delete within a reasonable time period a student's covered information if the K-12 school or LEA requests deletion of covered information under the control of the K-12 school or LEA, unless a student or parent or legal guardian consents to the maintenance of the covered information.

(d) An operator may use or disclose covered information of a student:

(1) If federal or state law requires the operator to disclose the information, and the operator complies with the requirements of federal or state law in protecting and disclosing that information;

(2) For legitimate research purposes as required by state or federal law and subject to the restrictions under applicable state or federal law or as allowed by state or federal law and under the direction of a K-12 school, LEA, or the department of education, if covered information is not used for advertising or to amass a profile on the student for purposes other than K-12 school purposes; or

(3) To the department, an LEA, or a K-12 school for K-12 school purposes, as permitted by state or federal law.

(e) An operator is not prohibited from:

(1) Using covered information to improve educational products if that information is not associated with an identified student within the operator's site, service, or application or other sites, services, or applications owned by the operator;

(2) Using covered information that is not associated with an identified student to demonstrate the effectiveness of the operator's products or services, including in its marketing;

(3) Sharing covered information that is not associated with an identified student for the development and improvement of educational sites, services, or applications;

(4) Using recommendation engines to recommend to a student:

(A) Additional content relating to an educational, other learning, or employment opportunity purpose within an online site, service, or application if the recommendation is not determined in whole or in part by payment or other consideration from a third party; or

(B) Additional services relating to an educational, other learning, or employment opportunity purpose within an online site,

service, or application if the recommendation is not determined in whole or in part by payment or other consideration from a third party; or

(5) Responding to a student's request for information or for feedback without the information or response being determined in whole or in part by payment or other consideration from a third party.

(f) This section does not:

(1) Limit the authority of a law enforcement agency to obtain any content or information from an operator as authorized by law or under a court order;

(2) Limit the ability of an operator to use student data, including covered information, for adaptive learning or customized student learning purposes;

(3) Apply to general audience Internet web sites, general audience online services, general audience online applications, or general audience mobile applications, even if login credentials created for an operator's site, service, or application may be used to access those general audience sites, services, or applications;

(4) Limit service providers from providing Internet connectivity to schools or students and their families;

(5) Prohibit an operator of a web site, online service, online application, or mobile application from marketing educational products directly to parents if the marketing did not result from the use of covered information obtained by the operator through the provision of services covered under this section;

(6) Impose a duty upon a provider of an electronic store, gateway, marketplace, or other means of purchasing or downloading software or applications to review or enforce compliance with this section on those applications or software;

(7) Impose a duty upon a provider of an interactive computer service to review or enforce compliance with this section by third-party content providers; or

(8) Prohibit students from downloading, exporting, transferring, saving, or maintaining their own student data or documents.

(g)

(1) Any violation of this section shall be construed to constitute an unfair or deceptive act or practice affecting the conduct of trade or commerce under the Tennessee Consumer Protection Act of 1977, compiled in title 47, chapter 18, part 1, and shall be enforced solely by the attorney general and reporter in the attorney general's discretion. The attorney general and reporter shall have the authority to conduct civil investigations and bring civil actions, as provided in § 8-6-109 and title 8, chapter 6, part 4; and §§ 47-18-106 and 47-18-108.

(2) In an action brought by the attorney general under this chapter, the court may award or impose any relief available under the Tennessee Consumer Protection Act of 1977.

SECTION 4. This act shall take effect July 1, 2016, the public welfare requiring it.

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

Rep. M. White moved that **House Bill No. 1931**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

PRESENT IN CHAMBER

Rep. Akbari was recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

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***House Bill No. 1485** -- Education - As introduced, makes certain changes to the requirements for voluntary pre-k programs to ensure that the programs are high quality and coordinated with instruction beyond the pre-k level. - Amends TCA Title 49, Chapter 6, Part 1. by *White M, *Love, *Akbari, *Forgety, *Brooks H, *Byrd, *McDaniel, *Fitzhugh, *Lamberth, *Powell, *Cooper. (SB1899 by *Dickerson, *Haile, *Yarbro)

On motion, House Bill No. 1485 was made to conform with **Senate Bill No. 1899**; the Senate Bill was substituted for the House Bill.

Rep. M. White moved that Senate Bill No. 1899 be passed on third and final consideration.

Rep. Forgety moved that Education Instruction & Programs Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Forgety moved that Education Instruction & Programs Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Casada moved the previous question, which motion prevailed by the following vote:

Ayes	77
Noes.....	13
Present and not voting.....	1

Representatives voting aye were: Alexander, Beck, Brooks H., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Farmer, Favors, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shepard, Smith, Sparks, Spivey, Swann, Terry, Travis, Van Huss, Weaver, White D., White M., Williams, Windle, Womick, Zachary, Madam Speaker Harwell -- 77

Representatives voting no were: Akbari, Armstrong, Camper, Clemmons, DeBerry, Fitzhugh, Jones, Mitchell, Powell, Shaw, Stewart, Towns, Turner -- 13

Representatives present and not voting were: Moody -- 1

Rep. M. White moved that **Senate Bill No. 1899** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes.....	0

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Present and not voting..... 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 96

Representatives present and not voting were: Moody -- 1

A motion to reconsider was tabled.

***House Bill No. 1721** -- Fiscal Review Committee - As introduced, increases from 60 days to 90 days from the end of the annual legislative session the time frame for public chapter review of estimated versus actual cost by fiscal review committee staff. - Amends TCA Section 3-2-107(c)(1). by *White M. (SB2004 by *Ketron)

On motion, House Bill No. 1721 was made to conform with **Senate Bill No. 2004**; the Senate Bill was substituted for the House Bill.

Rep. M. White moved that **Senate Bill No. 2004** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 3

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 93

Representatives voting no were: Mitchell, Pody, Windle -- 3

A motion to reconsider was tabled.

***House Bill No. 2592** -- Disabled Persons - As introduced, authorizes use of individual education account funds for contributions to an achieving a better life experience (ABLE) account for the benefit of a participating student; removes requirement that eligibility for ABLE program be limited to state residents and residents of contracting states. - Amends TCA Title 49, Chapter 10, Part 14 and Title 71, Chapter 4, Part 8. by *Moody, *Jernigan. (SB2504 by *Gresham)

On motion, House Bill No. 2592 was made to conform with **Senate Bill No. 2504**; the Senate Bill was substituted for the House Bill.

Rep. Moody moved that Senate Bill No. 2504 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 2504 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Section 71-4-804, is amended by adding a new, appropriately designated subsection as follows:

() All revenues collected by the program shall remain with the program. To the extent that the program has unused revenues during a given fiscal year, the unused revenues shall not revert to the general fund, but shall be carried forward to the next succeeding fiscal year or years, and shall be used to fund the program. For the purposes of this subsection, "revenues" include, but are not limited to, state appropriated funds, monetary gifts, grants, or any other monetary aids received by the program from public or private sources; however, "revenues" do not include the contributions and earnings in an ABLE account.

On motion, Education Administration & Planning Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Moody moved that **Senate Bill No. 2504**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 2

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell,

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Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 90

Representatives voting no were: Forgety, Lollar -- 2

A motion to reconsider was tabled.

***House Joint Resolution No. 502** -- General Assembly, Confirmation of Appointment - Douglas Hungate, education standards recommendation committee for English language arts and mathematics. by *Littleton.

Rep. Littleton moved that **House Joint Resolution No. 502** be reset for the Regular Calendar on April 4, 2016, which motion prevailed.

***House Bill No. 1889** -- Courts, Juvenile - As introduced, clarifies and amends various provisions regarding juvenile cases heard by magistrates; extends from five days to 10 days the period within which an appeal of the magistrate's order must be filed. - Amends TCA Section 36-1-102 and Section 37-1-107. by *DeBerry. (SB2572 by *Norris)

Rep. DeBerry moved that **House Bill No. 1889** be reset for the next available Regular Calendar, which motion prevailed.

***House Bill No. 1890** -- Courts, Juvenile - As introduced, amends the juvenile court procedure to issue a summons in a proceeding. - Amends TCA Title 37, Chapter 1. by *DeBerry. (SB2573 by *Norris)

Rep. DeBerry moved that **House Bill No. 1890** be reset for the next available Regular Calendar, which motion prevailed.

***House Bill No. 1558** -- Veterans Services, Dept. of - As introduced, prohibits any person working for or representing the department from participating in certain solicitations from the public for veterans' cemeteries; grants the commissioner rule-making authority for such cemeteries; adds other provisions regarding such cemeteries. - Amends TCA Title 46, Chapter 6. by *McCormick, *Brooks K, *Spivey. (SB2562 by *Norris, *Green)

On motion, House Bill No. 1558 was made to conform with **Senate Bill No. 2562**; the Senate Bill was substituted for the House Bill.

Rep. Spivey moved that **Senate Bill No. 2562** be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes 94
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

***House Joint Resolution No. 484** -- General Assembly, Confirmation of Appointment - Amy Gullion, education standards recommendation committee for English language arts and mathematics. by *White D.

Rep. D. White moved that **House Joint Resolution No. 484** be reset for the Regular Calendar on April 4, 2016, which motion prevailed.

House Bill No. 1877 -- Regional Authorities and Special Districts - As introduced, clarifies that the speakers may appoint members of the general assembly from one political party to the West Tennessee river basin authority if there is not a member representing the area from another political party. - Amends TCA Title 64, Chapter 1, Part 11. by *Halford. (*SB1590 by *Jackson)

On motion, House Bill No. 1877 was made to conform with **Senate Bill No. 1590**; the Senate Bill was substituted for the House Bill.

Rep. Halford moved that **Senate Bill No. 1590** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 77
Noes..... 13

Representatives voting aye were: Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Cooper, Daniel, Doss, Dunn, Eldridge, Faison, Farmer,

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Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Swann, Terry, Travis, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 77

Representatives voting no were: Armstrong, Clemmons, Dunlap, Favors, Fitzhugh, Gilmore, Hardaway, Mitchell, Parkinson, Powell, Stewart, Towns, Turner -- 13

A motion to reconsider was tabled.

***House Bill No. 2304** -- Alcoholic Beverages - As introduced, allows Blackberry Farms to hold a manufacturer's license or nonmanufacturer nonresident seller permit in addition to holding a license for consumption of alcoholic beverages on premises. - Amends TCA Section 57-4-102. by *Swann, *Ramsey. (SB2396 by *Overbey)

Further consideration of House Bill No. 2304, previously considered on March 17, 2016, at which time it was reset for today's Calendar.

On motion, House Bill No. 2304 was made to conform with **Senate Bill No. 2396**; the Senate Bill was substituted for the House Bill.

Rep. Swann moved that Senate Bill No. 2396 be passed on third and final consideration.

Rep. Sanderson moved adoption of House Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2396 by deleting the language "Hold a manufacturer's license under § 57-3-202 or a nonmanufacturer nonresident seller's permit under § 57-3-602(c)" and substituting instead the language "Hold a manufacturer's license under § 57-3-202 or a nonmanufacturer nonresident seller's permit under § 57-3-602(c) or both" in subdivision (i)(1) in the amendatory language of Section 2.

On motion, House Amendment No. 1 was adopted.

Rep. Swann moved that **Senate Bill No. 2396**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	72
Noes.....	16
Present and not voting.....	7

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk,

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Hazlewood, Hicks, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Lundberg, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Weaver, White D., White M., Williams, Wirgau, Womick, Madam Speaker Harwell -- 72

Representatives voting no were: Brooks H., DeBerry, Dunlap, Dunn, Hill M., Hill T., Holt, Keisling, Lollar, Lynn, Matlock, Moody, Sexton J., Van Huss, Windle, Zachary -- 16

Representatives present and not voting were: Butt, Byrd, Doss, Pody, Powers, Smith, Sparks -- 7

A motion to reconsider was tabled.

***House Bill No. 2199** -- Alcohol Offenses, Motor Vehicles - As introduced, requires arresting agency to send fingerprint cards for DUI and other vehicular impairment offense arrests to TBI within seven days of arrest for submission to NCIC and requires the clerks to send DUI convictions to TBI within five days of conviction. - Amends TCA Title 8 and Title 55. by *White M, *Hardaway, *Love, *Akbari, *Lamberth, *Lollar, *Kane, *Byrd, *Travis. (SB2577 by *Norris, *Kelsey)

Further consideration of House Bill No. 2199, previously considered on March 17, 2016, at which time it was reset for today's Calendar.

On motion, House Bill No. 2199 was made to conform with **Senate Bill No. 2577**; the Senate Bill was substituted for the House Bill.

Rep. M. White moved that Senate Bill No. 2577 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. M. White moved that **Senate Bill No. 2577** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van

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Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Lynn voted "aye" on **Senate Bill No. 2577**.

REGULAR CALENDAR, CONTINUED

***House Bill No. 623** -- Bail, Bail Bonds - As introduced, deletes provision permitting a court to revoke a defendant's bond and order the defendant held without bail pending trial if the defendant violates a condition of release, is charged with an offense committed during the defendant's release, or engages in conduct which obstructs the progress of the trial. - Amends TCA Title 40, Chapter 11. by *Farmer. (SB642 by *Gardenhire)

Further consideration of House Bill No. 623, previously considered on April 15, 2015, April 20, 2015, at which time it was held on the desk, it was then calendared for today's Regular Calendar.

Rep. Farmer moved that **House Bill No. 623** be reset for the Regular Calendar on April 4, 2016, which motion prevailed.

House Bill No. 850 -- Highways, Roads and Bridges - As introduced, grants county highway officials the authority to reduce the maximum gross weight of freight vehicles transporting mobile homes over certain county roads and bridges to prevent damage. - Amends TCA Title 5; Title 54, Chapter 7 and Title 55. by *Calfee, *Byrd, *Shepard, *Keisling, *Holt, *Howell, *Brooks K. (*SB412 by *Tracy, *Bowling, *Gardenhire)

Further consideration of House Bill No. 850, previously considered on March 30, 2015, April 8, 2015 and January 12, 2016, at which time it was held on the desk, it was then calendared for today's Regular Calendar.

BILL RE-REFERRED

Rep. Calfee moved that **House Bill No. 850** be re-referred to the Transportation Committee and that the same be heard this week, which motion prevailed.

UNFINISHED BUSINESS

RULES SUSPENDED

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Rep. McCormick moved that the rules be suspended in order to allow **House Joint Resolution No. 543** to be heard in the Agriculture and Natural Resources Committee this week, which motion prevailed.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Resolutions Nos. 188** and **189** to be introduced and heard in the Criminal Justice Committee this week, which motion prevailed.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Joint Resolutions Nos. 712, 713** and **714** to be introduced and heard in the Education Instruction and Programs Committee this week, which motion prevailed.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bills Nos. 850** and **1994** to be heard in the Transportation Committee this week, which motion prevailed.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Joint Resolutions Nos. 556, 585** and **Senate Joint Resolution No. 460** to be heard in the State Government Committee this week, which motion prevailed.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Joint Resolutions Nos. 669, 691** and **692** to be heard in the Education Instruction and Programs Committee this week, which motion prevailed.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **Senate Joint Resolution No. 88** to be heard in the Insurance and Banking Subcommittee this week, which motion prevailed.

RULES SUSPENDED

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Rep. McCormick moved that the rules be suspended in order to allow **House Joint Resolution No. 688** and **Senate Joint Resolution No. 102** to be heard in the Health Committee this week, which motion prevailed.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bills Nos. 1428, 2089** and **1705** to be heard in the Criminal Justice Subcommittee this week, which motion prevailed.

NOTICE TO ACT ON SENATE MESSAGE

Pursuant to **Rule No. 59**, notice was given that the following measure from the Senate would be considered on March 24, 2016:

House Bill No. 829: by Rep. Turner

RULES SUSPENDED

Rep. Reedy moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 649 out of order, which motion prevailed.

Senate Joint Resolution No. 649 -- Memorials, Recognition - Loretta Lynn. by *Roberts.

Rep. Reedy moved that all members voting aye on Senate Joint Resolution No. 649 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody, Ragan and Womick.

On motion of Rep. Reedy, the resolution was concurred in.

A motion to reconsider was tabled.

ANNOUNCEMENTS

RULES SUSPENDED

Rep. Hazlewood moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 578 out of order, which motion prevailed.

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Senate Joint Resolution No. 578 -- Memorials, Personal Occasion - Halie Gass Forstner, 105th birthday. by *Gardenhire.

On motion of Rep. Hazlewood, the resolution was concurred in.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1499 Rep. Williams as prime sponsor.

House Bill No. 1728 Reps. Shepard and Parkinson as prime sponsors.

House Bill No. 1823 Reps. Hicks, Holsclaw, C. Sexton, Williams, Weaver and Armstrong as prime sponsors.

House Bill No. 2212 Reps. Swann and Calfee as prime sponsors.

House Bill No. 2288 Rep. Doss as prime sponsor.

House Bill No. 2373 Rep. Powell as prime sponsor.

House Bill No. 2514 Rep. Pitts as prime sponsor.

SPONSORS REMOVED

On Motion, Rep. Littleton was removed as sponsor of **House Bill No. 2414**.

On Motion, Rep. Durham was removed as sponsor of **House Bill No. 2557**.

MESSAGE FROM THE SENATE

March 21, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 536, 537, 538, 545, 546, 547, 548, 551, 552, 553 and 554; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED

March 21, 2016

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The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 536, 537, 538, 545, 546, 547, 548, 551, 552, 553 and 554.

JOE MCCORD, Chief Clerk

MESSAGE FROM THE GOVERNOR

March 21, 2016

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 636, 637, 638, 639, 640, 641, 642, 643, 644, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656 and 657; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

MESSAGE FROM THE SENATE

March 21, 2016

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 1443, 1475, 1492, 1513, 1648, 1677, 1683, 1768, 1836, 1867, 1903, 1905, 1944, 2155, 2170, 2305, 2572, 2619, 2624 and 2627; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

March 21, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1459, 1464, 1731, 2007, 2032, 2066, 2088, 2092 and 2530; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED

March 21, 2016

The Speaker announced that she had signed the following: Senate Bills Nos. 1459, 1464, 1731, 2007, 2032, 2066, 2088, 2092 and 2530.

JOE MCCORD, Chief Clerk

MESSAGE FROM THE SENATE

March 21, 2016

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 507, 530, 658, 659, 660, 667, 668, 671 and 672; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

March 21, 2016

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MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 1447, 1529, 1539, 1540, 1542, 1545, 1546, 1555, 1557, 1716, 1918, 1932, 1941, 1964, 2159, 2190, 2261, 2568, 2575, 2593, 2628, 2632 and 2637; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

ENROLLED BILLS

March 21, 2016

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 185 and 186; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

SIGNED

March 21, 2016

The Speaker announced that she had signed the following: House Resolutions Nos. 185 and 186.

GREG GLASS, Chief Engrossing Clerk

SIGNED

March 21, 2016

The Speaker announced that she had signed the following: House Bills Nos. 1469, 1680, 1755, 1858, 2052, 2148 and 2334.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

March 21, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1517, 1559, 1604, 1609, 1841, 1862, 1980, 2121, 2123, 2137, 2239, 2255, 2382, 2391, 2483, 2508, 2536, 2552 and 2557; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 1517** -- Sunset Laws - As introduced, extends the department of human resources three years to June 30, 2019; requires the department to report back to the committee concerning the findings in its 2015 performance audit report. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Bell. (HB1601 by *Faison, *Ragan)

MONDAY, MARCH 21, 2016 – FIFTIETH LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Bill No. 1559** -- Schools, Private - As introduced, requires the chief administrative officer of a private K-12 school or private institution of higher education to implement a handgun carry policy that either permits or prohibits a person who has a handgun carry permit from carrying on the grounds or buildings of a private K-12 school or private university. - Amends TCA Title 39; Title 49, Chapter 7, Part 1 and Title 49, Chapter 50, Part 8. by *Bell, *Stevens, *Bailey. (HB1644 by *Goins, *Lamberth)

***Senate Bill No. 1604** -- Taxes, Hotel Motel - As introduced, authorizes the Town of Dandridge to levy a privilege tax upon the privilege of occupancy by a 2/3 vote of its governing body. - Amends TCA Title 67, Chapter 4, Part 14. by *Niceley. (HB2041 by *Farmer)

Senate Bill No. 1609 -- Sentencing - As introduced, adds Class E felony vandalism to the offenses for which a person's sentence may be enhanced if the offense is committed during the time and place of a declared emergency. - Amends TCA Title 40, Chapter 35, Part 1. by *Niceley. (*HB1505 by *Rogers)

***Senate Bill No. 1841** -- Sexual Offenses - As introduced, extends the statute of limitation for aggravated statutory rape committed on or after July 1, 2016, from four years to 25 years from the date the victim becomes 18 years of age. - Amends TCA Title 39 and Title 40, Chapter 2. by *Gardenhire. (HB2120 by *McCormick)

Senate Bill No. 1862 -- Education - As introduced, requires every elementary and secondary school to post the toll-free telephone number operated by the department of children's services to receive reports of child abuse or neglect in a clearly visible location in a public area that is readily accessible to students. - Amends TCA Title 49. by *Tate. (*HB1780 by *Coley, *Hardaway, *Hazlewood)

***Senate Bill No. 1980** -- Recreational Vehicles - As introduced, enacts the "Tennessee Recreation Vehicle Franchise Act of 2016"; establishes licensing requirements specifically for recreational vehicle dealers and salespersons to be overseen by the Tennessee motor vehicle commission. - Amends TCA Title 55. by *Massey. (HB2471 by *Calfee)

Senate Bill No. 2121 -- Criminal Offenses - As introduced, requires a person who disseminates smoking paraphernalia to display either a sign with the international circle and slash symbolizing the prohibition of selling tobacco to minors or another permitted sign stating that state law prohibits the sale of tobacco products to minors. - Amends TCA Title 37; Title 38 and Title 39. by *Overbey, *Kelsey, *Crowe, *Massey. (*HB2195 by *Coley, *Moody)

***Senate Bill No. 2123** -- Nurses, Nursing - As introduced, changes the title of advanced practice nurses to advanced practice registered nurses and changes references to their credentials from certificates to licenses. - Amends TCA Section 24-9-101; Section 49-2-124; Section 53-10-104; Section 53-10-302; Section 53-11-309; Section 56-32-137; Section 56-7-2408; Section 63-1-109; Section 63-1-301; Section 63-1-313; Section 63-10-204; Section 63-10-217; Section 63-10-505; Section 63-10-506; Title 63, Chapter 29; Section 63-51-102; Section 63-6-244; Section 63-6-802; Title 63, Chapter 7; Section 63-9-121; Section 68-1-128; Section 68-11-224; Section 68-2-601 and Section 71-5-1414. by *Southerland. (HB2423 by *Goins, *Favors)

MONDAY, MARCH 21, 2016 – FIFTIETH LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Bill No. 2137 -- Emergency Communications Districts - As introduced, requires the annual report by the board of directors for an emergency communications district on its activities to be submitted by December 1 of each year; expands the recipients of the report from the governor and the speakers of the senate and the house to the governor and each member of the general assembly; requires the annual report to include any suggestions for amendments to the Emergency Communications District Law. - Amends TCA Title 7; Title 9; Title 65 and Title 68. by *McNally. (*HB2174 by *Matlock, *Calfee, *Ramsey, *Jernigan)

Senate Bill No. 2239 -- Taxes, Sales - As introduced, changes date for annual sales tax holiday from the first weekend in August to the last weekend in July each year. - Amends TCA Section 67-6-393. by *Hensley, *Ketron. (*HB1652 by *Hawk, *Butt)

Senate Bill No. 2255 -- Motor Vehicles, Titling and Registration - As introduced, authorizes certain off-highway vehicles, which have top speeds over 35 mph and nonstraddle seating for up to four passengers, to be operated on county roads; authorizes issuance of off-highway license plates for each category; establishes equipment and safety requirements for the vehicles. - Amends TCA Title 55. by *Hensley. (*HB2288 by *Byrd)

Senate Bill No. 2382 -- Hospitals and Health Care Facilities - As introduced, permits certain persons with master's or bachelor's degrees to serve as a medical laboratory director for hospitals with 30 beds or fewer. - Amends TCA Title 68, Chapter 29. by *Bell. (*HB1800 by *Howell)

Senate Bill No. 2391 -- Professions and Occupations - As introduced, removes authority of the council for licensing hearing instrument specialists to waive written examination requirements for certain applicants; specifies that the national board for certification of hearing instrument sciences is no longer the accepted examination for licensure. - Amends TCA Title 63, Chapter 17, Part 2. by *Bell. (*HB2318 by *Johnson)

Senate Bill No. 2483 -- Child Custody and Support - As introduced, clarifies that a parent who spends intervals of time with a child and who wishes to relocate is required to provide notice to the other parent after custody or co-parenting has been established by the entry of a permanent parenting plan or final court order. - Amends TCA Title 36, Chapter 6, Part 1. by *Massey. (*HB2502 by *Daniel)

Senate Bill No. 2508 -- Education - As introduced, changes the submission date from September 30 to September 1, for each LEA to provide remediation services to students who fail a portion of any examination required to graduate from high school. - Amends TCA Title 49. by *Gresham, *Norris. (*HB1419 by *McCormick, *Brooks H, *Matlock, *Hazlewood)

Senate Bill No. 2536 -- Correctional Programs - As introduced, allows an inmate to receive sentence reduction credits for obtaining any high school equivalency credential, instead of only a GED. - Amends TCA Section 41-21-236. by *Norris, *Yager. (*HB1534 by *McCormick, *Brooks K, *Smith, *Byrd)

Senate Bill No. 2552 -- Drugs, Prescription - As introduced, enacts the "Tennessee Prescription Safety Act of 2016," which revises regulation of controlled substances primarily by means of procedures involving the controlled substances database. - Amends TCA Title 53,

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Chapter 10; Title 63, Chapter 1; Chapter 791 of the Public Acts of 2014 and Chapter 880 of the Public Acts of 2012. by *Norris, *Yager. (*HB2571 by *McCormick, *Brooks K, *Hawk, *Farmer)

Senate Bill No. 2557 -- Safety - As introduced, changes certain requirements for inspectors, redirects certain reports, imposes a \$300 fine for certain violations, and revises other provisions concerning elevators, dumbwaiters, escalators, aerial tramways, amusement devices, and boilers. - Amends TCA Title 68, Chapter 121 and Section 68-122-106. by *Norris, *Jackson. (*HB1553 by *McCormick, *Brooks K, *Halford)

**ENGROSSED BILLS
March 21, 2016**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 2342;

GREG GLASS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 97

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 97

RECESS

On motion of Rep. McCormick, the House stood in recess until 9:00 a.m., Thursday, March 24, 2016.